

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANTHONY RAPP and C.D.,

Plaintiffs,

-against-

KEVIN SPACEY FOWLER a/k/a KEVIN SPACEY

Defendant.
-----X

Case No. 1:20-cv-09586 (LAK)

**DECLARATION IN SUPPORT
OF PETER J. SAGHIR**

Pursuant to U.S.C. § 1746, I, PETER J. SAGHIR, declare under penalty of perjury as follows:

1. I am a member of the Bar of the State of New York and a bar of this Court. I am also a member of Gair, Gair, Conason, Rubinowitz, Bloom, Hershenhorn, Steigman & Mackauf, attorney for plaintiffs Anthony Rapp and C.D.
2. This declaration is in support of the of the motion of plaintiffs, Anthony Rapp and C.D., for an order (1) remanding this action to New York State Supreme Court pursuant to 28 U.S.C. § 1447(c) on the grounds that the district court lacks subject matter jurisdiction under 28 U.S.C. § 1332(a)(1) inasmuch as defendant Spacey is a domiciliary of England, or in the alternative, (2) permitting discovery on the issue of defendant, KEVIN SPACEY's, domicile at the time the underlying state action, *Anthony Rapp and C.D. v. Kevin Spacey Fowler a/k/a Kevin Spacey*, New York Supreme Index No. 950648/2020, was commenced; and (3) for such other and further relief as this Court may deem appropriate.
3. Attached hereto as Exhibit A is a true and correct copy of The Official Academy Awards® Database.

4. Attached hereto as Exhibit B is a true and correct copy of an article from BuzzFeed News by Adam B. Vary, *Actor Anthony Rapp: Kevin Spacey Made A Sexual Advance Toward Me When I Was 14*, <https://www.buzzfeednews.com/article/adambvary/anthony-rapp-kevin-spacey-made-sexual-advance-when-i-was-14> (last visited Dec. 13, 2020).
5. Attached hereto as Exhibit C is a true and correct copy of an article from Vox by Aja Romano, *Here's what we know.*, <https://www.vox.com/culture/2017/11/3/16602628/kevin-spacey-sexual-assault-allegations-house-of-cards> (last visited Dec. 13, 2020).
6. Attached hereto as Exhibit D is a true and correct copy of an article from the New York State official website, *Governor Cuomo Signs the Child Victims Act*, <https://www.governor.ny.gov/news/governor-cuomo-signs-child-victims-act> (last visited Dec. 13, 2020).
7. Attached hereto as Exhibit E is a true and correct copy of an article from the New York State Unified Court System, *Child Sex Abuse Cases*, <https://www.nycourts.gov/courthelp/Safety/childSexAbuseCases.shtml> (last visited Dec. 13, 2020).
8. Attached hereto as Exhibit F is a true and correct copy of an article from the New York State official website, *Governor Cuomo Signs Legislation Extending Look Back Window for Child Victims Act*, <https://www.governor.ny.gov/news/governor-cuomo-signs-legislation-extending-look-back-window-child-victims-act> (last visited Dec. 13, 2020).
9. Attached hereto as Exhibit G is a true and correct copy of an article from the Poughkeepsie Journal by Saba Ali, *3,797 and counting: Child Victims Act suits in NY add up, with more expected*, <https://www.poughkeepsiejournal.com/story/news/local/2020/08/11/ny-child-victims-act-suits-deadline-extended/5525387002/> (last visited Dec. 13, 2020).

10. Attached hereto as Exhibit H is a true and correct copy of the Summons and Complaint filed in the action, *Anthony Rapp and C.D. v. Kevin Spacey Fowler a/k/a Kevin Spacey*, Index No. 950648/2020 (New York County Supreme Court, New York).

11. Attached hereto as Exhibit I is a true and correct copy of a press release from the New York State Unified Court System, *New York State Courts Prepare for Influx of Cases as Key Provision of New York Child Victims Act Takes Effect* (Aug. 13. 2019), https://ww2.nycourts.gov/sites/default/files/document/files/2019-08/PR19_18.pdf.

12. Attached hereto as Exhibit J is a true and correct copy of the Case Management Order filed in the action, *In re: CHILD VICTIMS ACT NYC LITIGATION*, Index No. 950649/2020 (New York County Supreme Court, New York).

13. Attached hereto as Exhibit K is a true and correct copy of the Proposed Order to Show Cause of Leave to File a Civil Action Under the *Child Victims Act* Using a Pseudonym, Index No. 950649/2020 (New York County Supreme Court, New York).

14. Attached hereto as Exhibit L is a true and correct copy of the Signed Order to Show Cause for Leave to File a Civil Action Under the *Child Victims Act* Using a Pseudonym, filed in the action *Anthony Rapp and C.D. v. Kevin Spacey Fowler a/k/a Kevin Spacey*, Index No. 950649/2020 (New York County Supreme Court, New York).

15. Attached hereto as Exhibit M is a true and correct copy of a press release from The Old Vic, *The Old Vic Commits to a New Way Forward After Releasing its Conclusions Following an Investigation into the Alleged Conduct of Former Artistic Director Kevin Spacey* (Nov. 16, 2017), <https://www.oldvictheatre.com/news/2017/11/the-old-vic-commits-to-a-new-way-forward-after-releasing-its-conclusions-following-an-investigation-into-the-alleged-conduct-of-former-artistic-director-kevin-spacey>.

16. Attached hereto as Exhibit N is a true and correct copy of an article from The Guardian by Michael Billington, *Kevin Spacey at the Old Vic: glamour and an iron grip*, <https://www.theguardian.com/stage/2015/may/14/kevin-spacey-old-vic-high-society> (last visited Dec. 13, 2020).

17. Attached hereto as Exhibit O is a true and correct copy of an article from Homes and Property by Amira Hashish, *Kevin Spacey's London neighbour lists three-bedroom apartment for sale for £2.3 million*, <https://www.homesandproperty.co.uk/luxury/celebrity-homes/kevin-spacey-s-london-neighbour-sells-up-a117331.html> (last visited Dec. 13, 2020).

18. Attached hereto as Exhibit P is a true and correct copy of an article from the BBC, *Kevin Spacey: Old Vic reveals 20 staff allegations against him*, <https://www.bbc.com/news/entertainment-arts-42009596> (last visited Dec. 13, 2020).

19. Attached hereto as Exhibit Q is a true and correct copy of an article from the Evening Standard, *Kevin Spacey: London will always be my home*, <https://www.standard.co.uk/showbiz/kevin-spacey-london-will-always-be-my-home-8964036.html> (last visited Dec. 13, 2020).

20. Attached hereto as Exhibit R is a true and correct copy of an article from the BBC, *Spacey becomes London theater boss*, <http://news.bbc.co.uk/2/hi/entertainment/2727845.stm#:~:text=BBC%20NEWS%20%7C%20Entertainment%20%7C%20Spacey%20becomes%20London%20theatre%20boss&text=Actor%20Kevin%20Spacey%20has%20promised,London's%20Old%20Vic%20theatre%20company> (last visited Dec. 13, 2020).

21. Attached hereto as Exhibit S is a true and correct copy of an article from The Telegraph by Chris Hastings, *Spacey sets the stage for nine years at the Old Vic*,

<https://www.telegraph.co.uk/news/1528483/Spacey-sets-the-stage-for-nine-years-at-the-Old-Vic.html> (last visited Dec. 13, 2020).

22. Attached hereto as Exhibit T is a true and correct copy of an article from the Independent, *Expect the political unpredictable, says House of Cards' Kevin Spacey*, <https://www.independent.ie/style/celebrity/celebrity-news/expect-the-political-unpredictable-says-house-of-cards-kevin-spacey-34477004.html>, (last visited Dec. 13, 2020).

23. Attached hereto as Exhibit U is a true and correct copy of an article from Hello, *Prince Charles presents honorary knighthood to Kevin Spacey*, <https://ca.hellomagazine.com/royalty/02016061627200/prince-charles-presents-honorary-knighthood-to-kevin-spacey> (last visited Dec. 13, 2020).

24. Attached hereto as Exhibit V is an article is a true and correct copy of an article from the BBC, *Kevin Spacey: The UK's 'adopted son,'* <https://www.bbc.com/news/entertainment-arts-33110358> (last visited Dec. 13, 2020).

25. Attached hereto as Exhibit W is a true and correct copy of the Notice to State Court of Filing Notice of Removal filed in the action, *Anthony Rapp and C.D. v. Kevin Spacey Fowler a/k/a Kevin Spacey*, Index No. 950648/2020 (New York County Supreme Court, New York).

26. Attached hereto as Exhibit X is a true and correct copy of the House of Cards IMDB page, <https://www.imdb.com/title/tt1856010/> (last visited Dec. 13, 2020).

27. Attached hereto as Exhibit Y is a true and correct copy of the website DC by Foot, *House of Cards Locations in DC*, <https://freetoursbyfoot.com/house-cards-locations-dc/> (last visited Dec. 13, 2020).

28. Attached hereto as Exhibit Z is a true and correct copy of an article from The Baltimore Sun by Brittany Britto, *Inner Harbor condo not Kevin Spacey's, manager says – it's his*, <https://www.baltimoresun.com/features/baltimore-insider/bs-fe-kevin-spacey-condo-manager-20170516-story.html> (last visited Dec. 13, 2020).

29. Attached hereto as Exhibit AA is a true and correct copy of an article from The U.S. Sun by Stephanie Soteriou, *Spacey Spotted: Kevin Spacey is seen for first time in months wearing a wedding ring in north London after sexual assault allegations*, <https://www.the-sun.com/entertainment/1410711/kevin-spacey-seen-london-wedding-ring/> (last visited Dec. 13, 2020).

30. Attached hereto as Exhibit BB is a true and correct copy of the Affidavit of Service filed in the action, *Anthony Rapp and C.D. v. Kevin Spacey Fowler a/k/a Kevin Spacey*, Index No. 950648/2020 (New York County Supreme Court, New York).

31. Attached hereto as Exhibit CC is a true and correct copy of an article from Entertainment Weekly by Derek Lawrence, *House of Cards star on Kevin Spacey exit: 'It was heartbreaking in so many ways,'* <https://ew.com/tv/2018/04/18/house-of-cards-michael-kelly-kevin-spacey-exit/> (last visited Dec. 13, 2020).

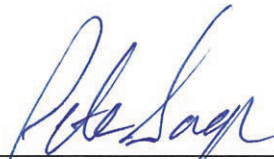
32. Attached hereto as Exhibit DD is a true and correct copy of Kevin Spacey's IMDB page, <https://www.imdb.com/name/nm0000228/> (last visited Dec. 13, 2020).

33. Attached hereto as Exhibit EE is a true and correct copy of *In re GOLDEN EAGLE LIBERIA, LTD.*, 1978 U.S. Dist. LEXIS 16925 (S.D.N.Y. 1978).

34. Attached hereto as Exhibit FF is a true and correct copy of *Anwar v. Fairfield Greenwich, Ltd.*, 2009 U.S. Dist. LEXIS 37077 (S.D.N.Y. 2009).

35. I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 14, 2020



Peter J. Saghir (PJS4276)

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